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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In re:

Case No. 18-03197 FPC 7

GIGA WATT, Inc., a Washington corporation,
Debtor.

The Honorable Frederick P. Corbit

Chapter 7

MARK D. WALDRON, as Chapter 7
Trustee.

Adv. Case No. 20-80031

**JOINT STIPULATED MOTION
REGARDING CHANGE TO
DISCOVERY SCHEDULE ONLY**

PERKINS COIE LLP, a Washington limited liability partnership, *et al.*,

Defendants.

VS.

VS.

Defendants.

- and -

- and -

THE GIGA WATT PROJECT, a partnership,

Nominal Defendant

**Joint Stipulated Motion
Re Discovery Schedule Only - 1**

I. STIPULATED MOTION

The parties, through their below signed counsel of record, stipulate and request that the discovery schedule in this matter be adjusted by continuing, for 60 days, the deadlines set forth below, to allow additional time for discovery. The parties have met and conferred in good faith concerning the present Case Scheduling Order (ECF No. 77) and stipulate that good cause exists to extend the discovery deadlines in the Scheduling Order by 60 days. The parties are not asking the Court to extend the trial date.

To date, the parties have exchanged more than 150,000 pages of documents. On February 16, 2022, the Trustee discovered a live Google Drive link which contains Giga Watt construction invoices and emails. These documents exceed 100,000 pages and require time to review and analyze. The Trustee has provided the link to Perkins Coie LLP (“Perkins”) and will shortly provide the obtained documents to Andrey Kuzenny.

The parties have met and conferred regarding third-party document production and deposing witnesses. Circle Internet Financial, which transferred approximately \$14.2 million to the GW ICO escrow held by Perkins and approximately \$12.7 million to Giga Watt, Inc., has agreed after significant effort, to produce relevant documents. David Carlson's deposition previously set for February 22, 2022, has been postponed due to Mr. Carlson becoming ill with Covid. The parties intend to depose witnesses over multiple states and in Puerto Rico.

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1 In addition, the Trustee intends to move to compel Perkins to produce
2 documents that Perkins asserts are subject to the attorney-client privilege and to
3 compel Mr. Carlson to produce documents.

4 Based on the foregoing, coupled with the factual complexity of this matter,
5 the parties believe it would be helpful to all concerned to allow additional time for
6 discovery, without affecting the trial date.

7 The parties hereby agree, subject to Court approval, to move the discovery
8 date in the Scheduling Order, ECF 77, as follows:

Deadline	Scheduling Order, ECF 77	Proposed New Scheduling Order
Fact Discovery	March 31, 2022	May 27, 2022
Opening Expert Reports	April 29, 2022	June 29, 2022
Rebuttal expert reports	June 22, 2022	August 22, 2022
Expert Depositions	July 15, 2022	September 7, 2022
Preliminary Witness and Exhibit Lists	September 7, 2022	September 12, 2022

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Deadline	Scheduling Order, ECF 77	Proposed New Scheduling Order
Proposed Pre-Trial Order	October 3, 2022	October 3, 2022
Exchange Final Witness & Exhibit Lists	October 7, 2022	October 7, 2022
Pre-Trial Conference	October 13, 2022, at 1:30 p.m.	October 13, 2022, at 1:30 p.m.
Trial	November 1, 2022	November 1, 2022
Amend Pleadings or Join Additional Parties, subject to Court approval	November 2, 2022	November 2, 2022

II. RELIEF REQUESTED

For the foregoing reasons, the parties request that the Court grant this stipulated motion to modify and extend the discovery schedule deadlines by 60 days subject to the Court's calendar and availability.

[Signatures follow on the next page.]

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1 Dated this 18th day of February 2022.

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